

AO 91 (Rev. 11/11) Criminal Complaint

UNITED STATES DISTRICT COURT

for the

Southern District of Texas

United States Courts
Southern District of Texas
FILED

November 26, 2021

United States of America

v.

-01 Alonso BARAY-Ortiz YOB: 1975, MEX
-02 Enrique BARAY-Chavez YOB: 1972, MEX

Case No. M-21-2483-M

Nathan Ochsner, Clerk of Court

Defendant(s)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of November 26, 2021 in the county of Starr in the
Southern District of Texas, the defendant(s) violated:

Code Section

Offense Description

21 U.S.C. 841(a)(1)
21 U.S.C. 846Knowingly and Intentionally Possess with Intent to Distribute approx. 174.5
kilograms of Cocaine, a Schedule II Controlled SubstanceKnowingly and Intentionally Conspire to Possess with Intent to Distribute
approx. 174.5 kilograms of Cocaine, a Schedule II Controlled Substance

This criminal complaint is based on these facts:

See Attachment "A".

☒ Continued on the attached sheet.Complaint Authorized by AUSA Michael
Mitchell 11/26/21Submitted by reliable electronic means, sworn
to and attested telephonically per Fed. R. Cr.
Pr. 4.1 and probable cause found on:Date: 11/26/2021 4:09 PMCity and state: McAllen, Texas

/s/ Mariah Yates

Complainant's signature

Mariah Yates, DEA Special Agent

Printed name and title



Judge's signature

Nadia S. Medrano, U.S. Magistrate Judge

Printed name and title

Attachment A

On Wednesday, November 24, 2021, US Border Patrol (USBP) Agents utilizing Remote Video Surveillance System (RVSS) observed multiple subjects loading suspected narcotics onto two horses near the Rio Grande River, in an area near known as "Midway," in Rio Grande City, Texas, and then traveling north further into the United States. As USBP Agents responded, the subjects absconded back to Mexico with no further incident.

On Friday, November 26, 2021, in the early hours, USBP Agents utilizing Remote Video Surveillance System (RVSS) observed two subjects riding on horseback northbound with suspected bundles of narcotics near the same area that USBP Agents observed them on November 24, 2021. USBP Agents, along with Texas Department of Public Safety (DPS) Troopers, responded to the area, and established a perimeter of an open field. The Border Patrol Agent utilizing the RVSS observed the two subjects on horseback go into the brush. Moments later, another USBP Agent observed two horses exit the brush line with no saddles and no riders crossing Midway Road, traveling eastbound. USBP Agents responded to the last known location the horses were seen with the two riders, and located seven large bundles of suspected cocaine, along with two abandoned saddles.

Shortly after, the USBP Agent utilizing RVSS observed the two subjects running south from the brush where the narcotics were located, towards a house, and moments later observed the subjects climbing over a fence towards a residence, which is located approximately 100 yards south of where the narcotics were located. USBP Agents, and Texas DPS Troopers created a perimeter around the residence, where the two subjects were found attempting to conceal themselves inside of chicken coops, located near the back of the property. As USBP Agents and Texas DPS Troopers approached, one subject attempted to abscond but was quickly apprehended and the second subject was taken in without incident.

USBP Agents identified the subjects as Alonzo BARAY-Ortis, and Enrique CHAVEZ-Cardenas, and were read them their Miranda Rights. USBP Agents transported the narcotics and BARAY-Ortis and CHAVEZ-Cardenas to the Rio Grande City Border Patrol Station, where the narcotics field tested positive for cocaine.

On the same date, Drug Enforcement Administration (DEA) Agents responded to the Rio Grande City Border Patrol Station in order to interview BARAY-Ortis and CHAVEZ-Cardenas. During the interview of BARAY-Ortis, he stated that he knew he was arrested for narcotics, and both he and CHAVEZ-Cardenas invoked their right to an attorney. During processing, CHAVEZ-Cardenas stated that upon arrest, he lied about his name, and it is actually Enrique BARAY-Chavez, and stated that BARAY-Ortis is his cousin.

DEA Agents processed the narcotics, finding 152 bundles of cocaine, weighing approximately 174.5 kilograms.